

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	)	CASE NO.: 20-11084-ELF
	)	
BRIAN E. TYLER,	)	
	)	
Debtor	)	CHAPTER 13

**OBJECTION OF CAPITAL ONE AUTO FINANCE,  
A DIVISION OF CAPITAL ONE, N.A.  
TO CONFIRMATION OF PROPOSED PLAN**

Capital One Auto Finance, a division of Capital One, N.A. ("COAF"), by and through its attorneys, Mester & Schwartz, P.C., files **Objection to Confirmation of Debtor's Proposed Plan** and states:

1. On April 25, 2016, Debtor Brian E. Tyler, entered into a Retail Installment Sales Contract in the principal amount of \$33,875.60 (the "Contract") that referred and related to the purchase of a 2015 JEEP Cherokee Utility 4D Limited 4WD V6, V.I.N. 1C4PJMD52FW686076 (the "Motor Vehicle").
2. COAF is the assignee of the Contract.
3. To secure the Contract, Debtor Brian E. Tyler granted a first lien on the Motor Vehicle in favor of COAF.
4. On February 21, 2020, Debtor filed a Voluntary Petition under Chapter 13 of the United States Bankruptcy Code.
5. On February 21, 2020, Debtor filed a Proposed Plan (the "Plan").
6. The Chapter 13 Trustee has scheduled a Meeting of Creditors for April 15, 2020.
7. At the time of the bankruptcy filing, the total amount of the COAF's claim was \$13,531.64.
8. The plan lists the amount of the claim at \$6,482.00 at 6.25% interest.
9. The fair market value for the Motor Vehicle is \$15,675.00. See attached Exhibit C.
10. COAF is entitled to a secured claim of \$11,595.68 over the life of the plan.
11. For the foregoing reasons, COAF objects to confirmation of the Plan.

WHEREFORE **Capital One Auto Finance, a division of Capital One, N.A.**, respectfully requests this Honorable Court to deny confirmation of the Plan.

Respectfully submitted,

Mester & Schwartz, P.C.

BY: /s/ Jason Brett Schwartz  
Jason Brett Schwartz, Esquire

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Dated: April 06, 2020